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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/526,997	03/07/2005	Ibrahim Sinan Akmandor	M013-5450 (PCT)	7993

7590 05/05/2006
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EXAMINER

TRIEU, THAI BA

ART UNIT	PAPER NUMBER
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3748

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/526,997

Applicant(s)

AKMANDOR ET AL.

Examiner

Thai-Ba Trieu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07 March 2005 (1st & 2nd Prel. Amd(s)).
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 March 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 03/07/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

The first and second Preliminary Amendments filed on March 07, 2005 are acknowledged. Claims 2-38 were cancelled.

Information Disclosure Statement

The listing of references in the specification (*i.e. On Page 1, lines 24, PCT WO 02/31318, Vading Kjell, April 18th, 2002; On Page 2, lines 11-12, USPTO 5,996,355, Jirnov et al., December 7th 1999 and USPTO 4,422,419, Umeda, December 27th 1983; On Page 2, lines 20 and 28-29, USPTO 4,414,938, Umeda Soei, November 15th 1983 and USPTO 5,511,525, Jirnov et al. April 30th 1996 etc...*) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609.04(a) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character:

1. **"130"** has been used to designate both **"housing receiving an eccentrically placed rotor"** (See Page 4, line 30) and **"oil cooling holes"** (See Page 7, line 21);

2. **"14"** has been used to designate both **"rotary combustion engine casing"** (See Page 7, line 8) and **"slots"** (See Page 7, line 22);

3. **"86"** has been used to designate **"end"** (see Page 5, line 3), **"sealing"** (See Page 7, line 16) and **"vane tips"** (See Page 7, line 23);

4. **"69"** has been used to designate **"cyclo valve"** (See Page 6, line 6), and **"drive shaft"** (See Page 9, line 4), "sealingly slotted cylinder" (see Page 9, line 21);

5. **"92"** has been used to designate both **" combustion chamber"** (See Page 9, line 14) and **"new cycles"** (See Page 9, line 24); etc...

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Note that Applicants should elect only one term to disclose an element/ a component of the invention in order to maintain the consistency of the whole application.

Specification

Applicants are required to submit a substitute Abstract to meet the requirement set forth below:

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet ***within the range of 50 to 150 words***. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Eickmann (Patent Number 4,876,850).

Eickmann discloses a sliding vane rotary combustion engine, which is characterized having at least one rotary compressor (1) and at least one rotary turbine (2), an ignition and a combustion system (3) (See Figures 1, 3, and 5).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Miles et al. (Patent Number 4,553,513).

Miles discloses a sliding vane rotary combustion engine, which is characterized having at least one rotary compressor (4) and at least one rotary turbine (10), an ignition and a combustion system (6) (See Figure 1, Column 4, lines 28-50).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Song (Patent Number EP 1 106 785 A1).

Song discloses a sliding vane rotary combustion engine, which is characterized having at least one rotary compressor (13B) and at least one rotary turbine (13A), an ignition and a combustion system (3) (See Figures 13A-14F, Paragraphs [0041]-[0043]).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Boudon (Patent Number FR 2 539 184).

A sliding vane rotary combustion engine, which is characterized having at least one rotary compressor (6p, 8p, 11p) and at least one rotary turbine (6m, 8m, 11m) an ignition and a combustion system (37) (See Figure 1, Page 8, lines 32-36).

Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kudo (Patent Number JP 56-156402 A).

Kudo discloses a sliding vane rotary combustion engine, which is characterized having at least one rotary compressor (not Numbered) and at least one rotary turbine

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(6, 8), an ignition and a combustion system (3, 4) (See Figures 1 and 6-9, Abstract and Constitution).

Conclusion

The IDS (PTO-1449) filed on March 07, 2005 has been considered. An initialized copy is attached hereto.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Horstin (Pub. Number 2005/0005898 A1) discloses a multi-stage modular rotary internal combustion engine.
- Wurtz et al. (Pub. Number 2006/0065232A1) discloses an engine and a method of generating power.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thai-Ba Trieu whose telephone number is (571) 272-4867. The examiner can normally be reached on Monday - Thursday (6:30-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas E. Denion can be reached on (571) 272-4859. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.

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Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

TTB
April 19, 2006



Thai-Ba Trieu
Primary Examiner
Art Unit 3748